

REMARKS

Claims 1 – 33 are pending in this application. Claims 1 – 12 and 22 – 33 have been withdrawn from consideration.

Claims 13 – 21 are rejected under 35 U.S.C. 112, First Paragraph

Claims 13 – 21 are rejected under 35 USC, first paragraph as failing to comply with the enablement requirement for the reasons stated in the Office Action.

The Applicant would like to thank the Examiner for the courtesy extended during the telephone interview on Wednesday, January 19, 2005. In the telephone interview, Applicant pointed out places in the specification which provide reasonable enablement under 35 USC 112, first paragraph for claims 13 – 21 of the present claimed invention. Specifically, the specification enables one reasonably skilled in the art to make a composition including “at least one of copper, silver, and gold”. Support for this limitation is found on page 6 of the specification in the first full paragraph, which states that the composition includes “silver, copper, and/or gold either alone or in combination” with one another. Additional support for this is found in the third full paragraph on page 7 which states that the present claimed composition includes “[i]onic copper, ionic silver and ionic gold alone and in any combination thereof as well as copper, silver and gold compounds alone and in any combination thereof...”. Thus, Applicant respectfully submits that claims 13 – 21 are fully enabled by the present specification.

In view of the above remarks and based on the telephone interview with the Examiner, it is respectfully submitted that Claims 13 – 21 are fully enabled by the specification and thus meet the requirement of 35 USC 112, first paragraph. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

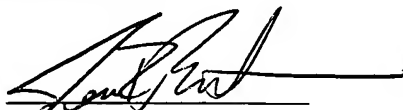
Should the Examiner have any questions, comments, or feel that a personal discussion might be helpful in advancing this case to allowance and issuance, she is cordially invited to contact the undersigned attorney at 1350 Broadway, Suite 1510, New York, New York 10018, telephone number (212) 971-0416, so that the present application can receive an early notice of allowance.

In the event there are further issues remaining in any respect the Examiner is respectfully requested to telephone Attorney to reach agreement to expedite issuance of this application.

No fee is believe to be due with this response. If there is a fee due, please charge the fee to Deposit Account 50-2828.

Respectfully submitted,
Robert Cook et al.

By



Jesse R. Bucholtz
Reg. No. 55,027

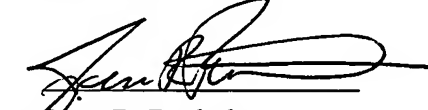
Dated: February 7, 2005
Jack Schwartz & Associates
1350 Broadway
Suite 1510
New York, NY 10018
Tel: (212) 971 – 0416
Fax: (212) 971 – 0417



CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: February 7, 2005



Jesse R. Bucholtz
Reg. No. 55,027